

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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RASHEED SMITH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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HONORABLE JEROME B. SIMANDLE

Civil Action No. 07-3478 (JBS)

**ORDER**

This matter having come before the Court upon Petitioner Rasheed Smith's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2255 [Docket Item No. 304]; and this Court having considered the submissions of the parties; for the reasons stated in the Opinion of today's date; and for good cause shown;

**IT IS**, this 25th **day of July, 2007** hereby

**ORDERED** that Petitioner Smith's petition for a writ of habeas corpus [Docket Item No. 304] shall be and hereby is **DENIED**; and

**IT IS FURTHER ORDERED** that Petitioner's motion for appointment of counsel [Docket Item No. 299] shall be and hereby is, **DENIED**; and

**IT IS FURTHER ORDERED** that Petitioner's motion for an evidentiary hearing [Docket Item No. 303] shall be and hereby is **DENIED**.

s/ Jerome B. Simandle

JEROME B. SIMANDLE  
U.S. District Judge